

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Mathew Harley, et al.,

*Plaintiffs,*

v.

Peter S. Kosinski, et al.,

*Defendants.*

Docket No. 1:20-cv-04664-BMC

**NOTICE OF MOTION TO  
DISMISS, OPPOSITION TO  
MOTION FOR  
PRELIMINARY  
INJUNCTION AND MOTION  
TO SEVER AND TRANSFER**

Please take notice that pursuant to this Court's Order that Responses to Plaintiffs' Complaint and Motion for Preliminary Injunction be filed no later than October 9, 2020, Kentucky Defendants Michael G. Adams and Albert Benjamin Chandler will move this Court, before the Honorable Brian Cogan, United States District Judge, at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza E, Brooklyn, NY 11201, for an Order pursuant to Fed. R. Civ. P. 12(b)(2), 12(b)(6), 21, and 28 U.S.C. §1404.:

- denying the Plaintiffs' Motion for Preliminary Injunction;
- dismissing Plaintiffs' Complaint with prejudice; or
- in the alternative, granting these Defendants' Motion to Sever and Transfer.

Attached is Defendants' Memorandum of Law in support of the Motion to Dismiss, in Opposition to the Motion for Preliminary Injunction, and in support of the Motion to Sever and Transfer.

Dated: October 9, 2020

Respectfully Submitted,

/s/ R. Kent Westberry

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*Counsel for Defendant Albert Benjamin  
Chandler; application for pro hac vice  
forthcoming*